

LOCATION:           MACOMB TOWNSHIP MEETING CHAMBERS  
                      54111 BROUGHTON ROAD  
                      MACOMB, MICHIGAN 48042

PRESENT:           JOHN D. BRENNAN, SUPERVISOR  
                      TRUSTEES: DINO F. BUCCI, JR.  
                                  JANET DUNN  
                                  ROGER KRZEMINSKI  
                                  NANCY NEVERS

ABSENT:           MICHAEL D. KOEHS, CLERK  
                      MARIE MALBURG, TREASURER

Also in attendance:   Lawrence W. Dloski, Township Attorney  
                          James Gelios, Township Deputy Clerk  
                          Jerome R. Schmeiser, Community Planning Consultant  
                          James Van Tiflin, Township Engineer of Spalding DeDecker &  
                          Associates. (Additional attendance record on file with Clerk)

Call Meeting to Order

Supervisor BRENNAN called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

1.     Roll Call

James Gelios, Township Deputy Clerk, called the roll call.

2.     Approval of Agenda Items (with any corrections)

**MOTION by BUCCI seconded by KRZEMINSKI to approve the amended agenda as discussed.**

**MOTION carried.**

3.     Approval of Bills

**MOTION by KRZEMINSKI seconded by DUNN to approve both bill runs as submitted.**

**MOTION carried.**

4. Approval of the June 8, 2005 previous Meeting Minutes

**MOTION by DUNN seconded by KRZEMINSKI to approve the June 8, 2005 Meeting Minutes.**

**MOTION carried.**

5. **CONSENT AGENDA ITEMS:**

5A. **Clerks Department:**

1. **Wall Sign Bond Return; Curves;** Located on the southeast corner of 26 Mile Road and Romeo Plank Road. 5 Image, Petitioner. Permanent Parcel No. 08-05-100-026
2. **Extension of Time; Macomb Town Center; Preliminary Review Approval;** Located west of Broughton Road extending from 24 Mile Road to 25 Mile Road. Lombardo Companies, Petitioner. Permanent Parcel No. 08-09-400-015
3. **Extension of Time; Tentative Preliminary Plat; Battaglia Subdivision;** Located on the east side of North Avenue approximately 1341.22 feet north of Hall Road; Lehner Associates, Inc., Petitioner. Permanent Parcel No. 08-36-303-024
4. **Ground Sign Bond Return; TCF Bank;** Located on the south side of 23 Mile Road approximately 442 feet east of Card Road. Beacon Sign Company, Petitioner. Permanent Parcel No. 08-23-100-028
5. **Wall Sign Bond Return; TCF Bank;** Located on the south side of 23 Mile Road approximately 442 feet east of Card Road. Beacon Sign Company, Petitioner. Permanent Parcel No. 08-23-100-028.

5B. **Department Monthly Reports:**

1. Macomb County Sheriffs Department
2. Building Department
3. Fire Department
4. Parks and Recreation Department
5. Water/Sewer Department

**5C. Water & Sewer Department:**

1. Easement Encroachment Agreement, Scott & Shannon Heide, 48628 Tilch Drive, Macomb, MI 48044, Lot 92, Jefferson Meadows Subdivision #2.
2. Easement Encroachment Agreement, Thomas & Susanne DeCook, 17482 Thornwood Lane, Macomb, MI 48044, Lot 62, Walnut Creek Subdivision.
3. Easement Encroachment Agreement, Michael & Cheryl Lynn McComb, 18191 Country Club Drive, Macomb, MI 48042, Lot 43, Emerald Green Subdivision.

**MOTION by KRZEMINSKI seconded by NEVERS to approve the consent agenda items as submitted.**

**MOTION carried.**

**6. Public Comments (Non Agenda items only - 3 minute time limit)**

Public Portion: David Schoehnerr, Township resident, questioned the status of the Wolverine Country Club Subdivision. Supervisor BRENNAN informed the resident that the matter has been scheduled for this agenda and will be reviewed further down the agenda.

**PUBLIC HEARING:**

7. **Special Assessment District; Street Lighting (SAD); Tesner Park Subdivision;** Located on the southeast corner of Card Road and Brantingham Road; V & M Development LLC, Petitioner. Permanent Parcel No. 08-35-300-037

Supervisor BRENNAN reviewed the request for establishing a special assessment district for street lighting for the Tesner Park Subdivision.

Supervisor BRENNAN opened the public hearing at 7:05 p.m.

Public Portion: None

**MOTION by BUCCI seconded by KRZEMINSKI to close the Public Hearing at 7:06 p.m.**

**MOTION carried.**

**MOTION by KRZEMINSKI seconded by DUNN to adopt the resolution establishing a special assessment district for the Tesner Park Subdivision Permanent Parcel No. 08-35-300-037. This resolution is as follows:**

**FOR THIS MOTION: KRZEMINSKI, DUNN, NEVERS, BUCCI AND BRENNAN.**

**OPPOSED: NONE**

**ABSENT: KOEHS, MALBURG**

**Street Lighting Tesner Park Subdivision**

**RESOLUTION ORDERING ESTABLISHMENT  
OF STREET LIGHTING DISTRICT**

**Minutes of a regular meeting of the Township Board of the Township of Macomb, County of Macomb, Michigan, held in the Township Hall in said Township on June 22, 2005, at 7:00 P.M., Eastern Daylight Savings Time.**

**PRESENT: John D. Brennan, Janet Dunn, Dino F. Bucci, Jr., Roger Krzeminski, Nancy Nevers.**

**ABSENT: Michael D. Koehs, Marie E. Malburg.**

**The following preamble and resolution were offered by Member KRZEMINSKI and supported by Member DUNN.**

**WHEREAS, pursuant to 1989 PA 80 (the "Act"), the Township Board is empowered to establish a Special Assessment for the installation and maintenance of street lighting on its motion or upon the submission of petitions as prescribed in the Act; and**

**WHEREAS, the Township Board has determined that the installation of a street light or lights illuminating streets serving lands described in Exhibit "A" is necessary to preserve the public safety and welfare.**

**WHEREAS, the Township Board desires to establish a Special Assessment District obligating the benefited owners to pay for the cost of installation and operation of street lighting; and**

**WHEREAS, a public hearing for the establishment of a Special Assessment District for street lighting was held coincident with this meeting and was prefaced by published and mailed notice as required by the Act and 1962 PA 162.**

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE TOWNSHIP OF MACOMB, MACOMB COUNTY, MICHIGAN:**

- 1. It is hereby directed that a street light or lights shall be installed at Tesner Park Subdivision, which will illuminate streets, serving and benefiting the lot(s) and/or parcel(s) of land described in Exhibit "A".**
- 2. A Special Assessment District consisting of the lot(s) and parcel(s) described in Exhibit "A" is hereby established and the cost for installation of said street lights(s) and all future electrical service be levied against the parcel(s) and/or lot(s) so described in direct proportion to the benefit conferred.**
- 3. The annual electrical service charge is Three Thousand Four Hundred Thirty Two dollars and 0/100 (\$3,432.00). Three times the annual cost is Ten Thousand Two Hundred Ninety Five dollars and 0/100 (\$10,295.00). Total project cost is Seventeen Thousand One Hundred Fifty Six dollars and 0/100 (\$17,156.00). The petitioner contribution amount is Six Thousand Eight Hundred Sixty One dollars and 0/100 (\$6,861.00). The Townships at large contribution is zero dollars and 00/100 (\$0.00).**
- 4. The Township Board shall hereafter annually determine the amount to be assessed in the district for lighting and shall direct the assessor to levy this amount. The assessment may be made either in a special assessment roll or in a column provided in the regular tax roll. The assessment shall be spread and become due and be collected at the same time as the other Township taxes are assessed, levied and collected and shall be returned in the same manner for nonpayment.**

**AYES: KRZEMINSKI, DUNN, NEVERS, BUCCI, BRENNAN.**

**NAYS: NONE.**

**ABSENT: KOEHS, MALBURG.**

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**MICHAEL D. KOEHS, CMC  
MACOMB TOWNSHIP CLERK**

**SAD, Street Lighting, Tesner Park Subdivision**

**EXHIBIT "A"**

**LEGAL DESCRIPTION OF  
SPECIAL ASSESSMENT LIGHTING DISTRICT**

**A parcel of land located in and being a part of the S.W. ¼ of Section 35, T.3N., R.13E., Macomb Township, Macomb County, Michigan, and being more particularly described as follows:**

**Commencing at a point 43.00' S.00°14'00"W. from the West ¼ corner of said Section 35, and thence extending S.89°48'58"E. 1332.23' along the south R.O.W. of Brantingham Road (43' wd), Thence S.00°12'16"E 281.17', Thence S.40°46'20"W. 714.53', Thence N.89°48'58"W 869.96', Thence N.00°14'00"E. 300.00', along the west line of Section 35, also being the centerline of Card Road (prop. 120'), Thence S.89°49'30"E 214.36', Thence N.00°14'00"E. 403.35', Thence N.89°49'30"W. 214.36', Thence N.00°14'00"E. 120.43', along the centerline of Card Road to the point of beginning and containing 19.758 acres of land. Reserving easements of record.**

**Pre-Printed Portion of document  
drafted by:**

**Lawrence W. Dloski  
SEIBERT AND DLOSKI, PLLC  
59 N. Walnut, 202 Vicant Building  
Mt. Clemens, MI 48043**

**AFTER RECORDING RETURN TO:     Michael D. Koehs, CMC  
Macomb Township Clerk  
54111 Broughton Road  
Macomb, MI 48042**

**RESOLUTION DECLARED ADOPTED.**

**PLANNING COMMISSION:**

- 8. Final Plat for Tesner Park Subdivision;** Located on the southeast corner of Card Road and Brantingham Road; V & M Development, LLC Petitioner. Permanent Parcel No. 08-35-300-037

Jerome R. Schmeiser, Community Planning Consultant, reviewed the findings and recommendations for approval.

Petitioner Present: Thomas Kellogg of Lehner & Associates

Public Portion: None

**MOTION by DUNN seconded by NEVERS to approve the Final Plat for Tesner Park Subdivision and direct the Township Clerk to sign the mylar. Permanent Parcel No. 08-35-300-037.**

**MOTION carried.**

9. **Tentative Preliminary Plat (Revised); Wolverine Country Club Subdivision;** Located on the north side of 25 Mile Road, between Romeo Plank and Luchtman Roads; Wolverine 25 Mile LLC, Petitioner. Permanent Parcel No. 08-05-400-028.

Jerome R. Schmeiser, Community Planning Consultant, simultaneously reviewed agenda item numbers 9-12. The findings and recommendation for denial of the Tentative Preliminary Plat (Revised); Wolverine Country Club Subdivision are as follows:

**FINDINGS:**

The petitioner is requesting revised tentative preliminary plat approval for the above-described property. The purpose of the amended findings and recommendation is to review the plat as any other plat pursuant to the Township codes, ordinances and planning documents.

The matter was scheduled on the Planning Commission meeting of May 17, 2005, but postponed.

Characteristics of the property in question can be summarized as follows:

Current Zoning: R-1

Present Use: vacant

The general description of the surrounding properties is as follows:

The property to the north of the tract in question is zoned R-1 and contains homes.

The property to the south, across 25 Mile Road, is zoned R-1 and AG and contains homes.

The property to the east, across Luchtman is zoned R-1 and AG and contains residential development.

The property to the west is zoned R-1 and contains a vacant golf course.

The Master Plan depicts the area as residential and the Master Thoroughfare Plan indicates 120 feet of right-of-way for 25 Mile and Luchtman Roads.

The Building Official indicates that the property is within the 100-year floodplain.  
The revised subdivision plat submitted by the petitioner indicates the following:

- a. The legal description of the Tentative Preliminary Plat is for a parcel of land encompassing 311 plus acres. The legal description must be revised to match the split/combo.
- b. A total of 451 lots are planned in a curvilinear street pattern which focuses on a 3+ acre park. Three phases will be developed.
- c. The original retention pond planned with frontage on 25 Mile Road has been extended to the north and west to provide for retention facilities for the entire development. Since the total area of the plat has been expanded, the tentative preliminary plat had to be revised.
- d. Access to the subdivision is provided via connectors to 25 Mile and Luchtman and stub streets to the north and west properties are shown.
- e. All lots meet the Zoning Ordinance requirements.
- f. A "park" is situated between lots 166 and 167.
- g. The landscape plan submitted meets the requirements of the Land Division Ordinance. However the signs must be shown to set back 10' from 25 Mile and Luchtman. Revised landscape plans must be submitted with the proper dimensions for the signs.
- h. The petitioner has not applied for or received approval for the split/combination of the detention area.
- i. The sign walls and subdivision identification walls are situated within the setback requirements of the zoning ordinance and are located within utility easements.
- j. Pillar (s) are located in the boulevard entrances along 25 Mile and Luchtman Roads.
- k. The lot numbers on the landscape plan do not coincide with the lot numbers on the plat.



1. The lots 306 thru 309 are misnumbered. Two lot 309's are shown. Lot # 307 is not indicated.
- m. The landscape plan indicates certain plant materials installed outside the landscape areas.

**RECOMMENDATIONS:**

It is recommended that the Planning Commission deny the revised Tentative Preliminary Plat for Wolverine Country Club Subdivision for the following reasons:

1. The legal description of the tentative preliminary plat must be revised to meet the split/combo.
2. The lots numbered 306 thru 309 must be re-numbered.
3. The plat does not identify all easements outside of the typical building setbacks.
4. The plat does not identify a temporary access drive to the detention basin.
5. The original retention pond planned with frontage on 25 Mile Road has been extended to the north and west to provide for retention facilities for the entire development. Since the total area of the plat has been expanded, the tentative preliminary plat had to be revised. The plan as presented does not include the additional property.
6. The "park" situated between lots 166 and 167 must be eliminated.
7. The landscape plan submitted does not meet the requirements of the Land Division Ordinance. The signs must be shown to set back 10' from 25 Mile and Luchtman. Revised landscape plans must be submitted with the proper dimensions for the signs.
8. The petitioner has not applied for or received approval for the split/combination of the detention area.
9. The sign walls and subdivision identification walls are situated within the setback requirements of the zoning ordinance and are located within utility easements.
10. Pillar (s) are located in the boulevard entrances along 25 Mile and Luchtman Roads.

11. The lot numbers on the landscape plan do not coincide with the lot numbers on the plat.
12. The landscape plan indicates certain plant materials installed outside the landscape areas.

Petitioner Present: John Cavaliere, Salvatore DiMercurio, Craig Duckwitz  
& Thomas Kalas

Mr. Kalas addressed the Board at length explaining the petitioner's reasons for requesting Revised Tentative Preliminary Plat and Final Preliminary Plat (Phase I, II & III) approval as submitted in writing via facsimile dated June 17, 2005 regarding these items.

Public Portion: David Schoenherr and Anne Kochanski, Township residents, expressed their concerns relating to the banquet facility. Further, that the best interest for the Township is to keep the banquet facility.

**MOTION by DUNN seconded by NEVERS to follow the recommendation of the Planning Consultants and Planning Commission and deny the Tentative Preliminary Plat (Revised); Wolverine Country Club Subdivision; Permanent Parcel No. 08-05-400-028.**

**MOTION carried.**

10. **Final Preliminary Plat; Wolverine Country Club Subdivision Phase I;** Located on the north side of 25 Mile Road, between Romeo Plank and Luchtman Roads; Wolverine 25 Mile LLC, Petitioner. Permanent Parcel No. 08-05-400-028.

Jerome R. Schmeiser, Community Planning Consultant, simultaneously reviewed agenda item numbers 9-12. The findings and recommendation for denial of the Final Preliminary Plat; Wolverine Country Club Subdivision Phase I are as follows:

**FINDINGS:**

The petitioner is requesting final preliminary plat approval for the above-described property. The purpose of the amended findings and recommendation is to review the plat as any other plat pursuant to the Township codes, ordinances and planning documents.

The matter was scheduled on the Planning Commission meeting of May 17, 2005, but postponed.

Characteristics of the property in question can be summarized as follows:

Current Zoning: R-1

Present Use: vacant

The general description of the surrounding properties is as follows:

The property to the north of the tract in question is zoned R-1 and contains homes.

The property to the south, across 25 Mile Road, is zoned R-1 and AG and contains homes.

The property to the east, across Luchtman is zoned R-1 and AG and contains residential development.

The property to the west is zoned R-1 and contains a vacant golf course.

The Master Plan depicts the area as residential and the Master Thoroughfare Plan indicates 120 feet of right-of-way for 25 Mile and Luchtman Roads.

The Building Official indicates that the property is within the 100-year floodplain.

The subdivision plat submitted by the petitioner indicates the following:

- a. A total of 191 lots are planned in a curvilinear street pattern which focuses on a 3+ acre park.
- b. The original retention pond planned with frontage on 25 Mile Road has been extended to the north and west to provide for retention facilities for the entire development. Since the total area of the plat has been expanded, the tentative preliminary plat had to be revised.
- c. Access to the subdivision is provided via connectors to 25 Mile and Luchtman and stub streets to the north and west properties are shown.
- d. All lots meet the Zoning Ordinance requirements.
- e. The landscape plan submitted meets the requirements of the Land Division Ordinance. However the signs must be shown to set back 10' from 25 Mile and Luchtman. The plan shows no dimensions for the setbacks of the signs. Revised landscape plans must be submitted with the proper dimensions for the signs.

- f. A “park” is situated between lots 166 and 167.
- g. The landscape plan submitted does not meet the requirements of the Land Division Ordinance. The signs must be shown to set back 10’ from 25 Mile and Luchtman. Revised landscape plans must be submitted with the proper dimensions for the signs.
- h. The petitioner has not applied for or received approval for the split/combination of the detention area.
- i. The sign walls and subdivision identification walls are situated within the setback requirements of the zoning ordinance and are located within utility easements.
- j. Pillar (s) are located in the boulevard entrances along 25 Mile and Luchtman Roads.
- k. The lot numbers on the landscape plan do not coincide with the lot numbers on the plat.
- l. The landscape plan indicates certain plant materials installed outside the landscape areas.
- m. The Township consulting engineer is reviewing a revised master grading plan for the plat.

**RECOMMENDATIONS:**

It is recommended that the Final Preliminary Plat for Wolverine Sub. Phase I be denied for the following reasons;

- 1. A Special Assessment District has not been established for the detention basin maintenance.
- 2. The subdivision restrictive covenants have not been amended to reference the SAD.
- 3. The plat does not identify all easements outside of the typical building setbacks.
- 4. The plat does not identify a temporary access drive to the detention basin.
- 5. The original retention pond planned with frontage on 25 Mile Road has been extended to the north and west to provide for retention facilities for the entire development. Since the total area of the plat has been expanded, the tentative

preliminary plat had to be revised. The plan as presented does not include the additional property.

6. The “park” is situated between lots 166 and 167 must be eliminated.
7. The landscape plan submitted does not meet the requirements of the Land Division Ordinance. The signs must be shown to set back 10’ from 25 Mile and Luchtman. Revised landscape plans must be submitted with the proper dimensions for the signs.
8. The petitioner has not applied for or received approval for the split/combination of the detention area.
9. The sign walls and subdivision identification walls are situated within the setback requirements of the zoning ordinance and are located within utility easements.
10. Pillar (s) are located in the boulevard entrances along 25 Mile and Luchtman Roads.
11. The lot numbers on the landscape plan to not coincide with the lot numbers on the plat.
12. The landscape plan indicates certain plant materials installed outside the landscape areas.
13. The revised Master Grading Plan has not been approved by the Township consulting engineer.

Petitioner Present: John Cavaliere, Salvatore DiMercurio, Craig Duckwitz  
& Thomas Kalas

Public Portion: None

**MOTION by DUNN seconded by NEVERS to follow the Planning Consultants and Planning Commissions recommendation and deny the Final Preliminary Plat; Wolverine Country Club Subdivision Phase I; Permanent Parcel No. 08-05-400-028.**

**MOTION carried.**

11. **Final Preliminary Plat; Wolverine Country Club Subdivision Phase II;** Located on the north side of 25 Mile Road, between Romeo Plank and Luchtman roads; Wolverine 25 Mile LLC, Petitioner. Permanent Parcel No. 08-05-400-028.

Jerome R. Schmeiser, Community Planning Consultant, simultaneously reviewed agenda item numbers 9-12. The findings and recommendation for denial of the Final Preliminary Plat; Wolverine Country Club Subdivision Phase II are as follows:

FINDINGS:

The petitioner is requesting final preliminary plat approval for the above-described property. The purpose of the amended findings and recommendation is to review the plat as any other plat pursuant to the Township codes, ordinances and planning documents.

The matter was scheduled on the Planning Commission meeting of May 17, 2005, but postponed.

Characteristics of the property in question can be summarized as follows:

Current Zoning: R-1

Present Use: vacant

The general description of the surrounding properties is as follows:

The property to the north of the tract in question is zoned R-1 and contains homes.

The property to the south, across 25 Mile Road, is zoned R-1 and AG and contains homes.

The property to the east, across Luchtman is zoned R-1 and AG and contains residential development.

The property to the west is zoned R-1 and contains a vacant golf course.

The Master Plan depicts the area as residential and the Master Thoroughfare Plan indicates 120 feet of right-of-way for 25 Mile and Luchtman Roads.

The Building Official indicates that the property is within the 100-year floodplain.

The subdivision plat submitted by the petitioner indicates the following:

- a. A total of 244 lots are planned in a curvilinear street pattern which focuses on a 3+ acre park.
- b. The original retention pond planned with frontage on 25 Mile Road has been extended to the north and west to provide for retention facilities for the entire

development. Since the total area of the plat has been expanded, the tentative preliminary plat had to be revised.

- c. Access to the subdivision is provided via connectors to 25 Mile and Luchtman and stub streets to the north and west properties are shown.
- d. All lots meet the Zoning Ordinance requirements.
- e. The landscape plan submitted meets the requirements of the Land Division Ordinance. However the signs must be shown to set back 10' from 25 Mile. The plan shows no dimensions for the setbacks of the signs. Revised landscape plans must be submitted with the proper dimensions for the signs.
- f. The landscape plan submitted does not meet the requirements of the Land Division Ordinance. The signs must be shown to set back 10' from 25 Mile. Revised landscape plans must be submitted with the proper dimensions for the signs.
- g. The petitioner has not applied for or received approval for the split/combination of the detention area.
- h. The sign walls and subdivision identification walls are situated within the setback requirements of the zoning ordinance and are located within utility easements.
- i. Pillar(s) are located in the boulevard entrance along 25 Mile Road.
- j. The lot numbers on the landscape plan do not coincide with the lot numbers on the plat.
- k. The landscape plan indicates certain plant materials installed outside the landscape areas.
- l. The Township consulting engineer is reviewing a revised master grading plan for the plat.

**RECOMMENDATIONS:**

It is recommended that the Final Preliminary Plat for Wolverine Sub. Phase II be denied for the following reasons;

- 1. A Special Assessment District has not been established for the detention basin maintenance.

2. The subdivision restrictive covenants have not been amended to reference the SAD.
3. The plat does not identify all easements outside of the typical building setbacks.
4. The plat does not identify a temporary access drive to the detention basin.
5. The original retention pond planned with frontage on 25 Mile Road has been extended to the north and west to provide for retention facilities for the entire development. Since the total area of the plat has been expanded, the tentative preliminary plat had to be revised. The plan as presented does not include the additional property.
6. The landscape plan submitted does not meet the requirements of the Land Division Ordinance. The signs must be shown to set back 10' from 25 Mile and 15 ft. from the local street. Revised landscape plans must be submitted with the proper dimensions for the signs.
7. The petitioner has not applied for or received approval for the split/combination of the detention area.
8. The sign walls and subdivision identification walls are situated within the setback requirements of the zoning ordinance and are located within utility easements.
9. Pillar (s) are located in the boulevard entrance along 25 Mile Road.
10. The lot numbers on the landscape plan to not coincide with the lot numbers on the plat.
11. The landscape plan indicates certain plant materials installed outside the landscape areas.
12. The revised Master Grading Plan has not been approved by the Township consulting engineer.

Public Portion: None

**MOTION by KRZEMINSKI seconded by NEVERS to follow the Planning Consultants and Planning Commissions recommendation to deny the Final Preliminary Plat; Wolverine Country Club Subdivision Phase II; Permanent Parcel No. 08-05-400-028.**



**MOTION carried.**

12. **Final Preliminary Plat; Wolverine Country Club Subdivision Phase III;**  
Located on the north side of 25 Mile Road, between Romeo Plank and Luchtman  
Roads; Wolverine 25 Mile LLC, Petitioner. Permanent Parcel No. 08-05-400-  
028.

Jerome R. Schmeiser, Community Planning Consultant, simultaneously reviewed agenda item numbers 9-12. The findings and recommendation for denial of the Final Preliminary Plat; Wolverine Country Club Subdivision Phase III are as follows:

FINDINGS:

The petitioner is requesting final preliminary plat approval for the above-described property. The purpose of the amended findings and recommendation is to review the plat as any other plat pursuant to the Township codes, ordinances and planning documents. The matter was scheduled on the Planning Commission meeting of May 17, 2005, but postponed.

Characteristics of the property in question can be summarized as follows:

Current Zoning: R-1

Present Use: vacant

The general description of the surrounding properties is as follows:

The property to the north of the tract in question is zoned R-1 and contains homes.

The property to the south, across 25 Mile Road, is zoned R-1 and AG and contains homes.

The property to the east, across Luchtman is zoned R-1 and AG and contains residential development.

The property to the west is zoned R-1 and contains a vacant golf course.

The Master Plan depicts the area as residential and the Master Thoroughfare Plan indicates 120 feet of right-of-way for 25 Mile and Luchtman Roads.

The Building Official indicates that the property is within the 100-year floodplain.

The subdivision plat submitted by the petitioner indicates the following:

- a. A total of 16 lots are planned in a curvilinear street pattern which focuses on a 3+ acre park.
- b. The original retention pond planned with frontage on 25 Mile Road has been extended to the north and west to provide for retention facilities for the entire development. Since the total area of the plat has been expanded, the tentative preliminary plat had to be revised.
- c. Access to the subdivision is provided via connectors to 25 Mile and Luchtman and stub streets to the north and west properties are shown.
- d. All lots meet the Zoning Ordinance requirements.
- e. The landscape plan submitted meets the requirements of the Land Division Ordinance. However the signs must be shown to set back 10' from 25 Mile and 15 ft. from the local street. The plan shows no dimensions for the setbacks of the signs. Revised landscape plans must be submitted with the proper dimensions for the signs.
- f. The landscape plan submitted does not meet the requirements of the Land Division Ordinance. The signs must be shown to set back 10' from 25 Mile and 15 ft. from the local street. Revised landscape plans must be submitted with the proper dimensions for the signs.
- g. The petitioner has not applied for or received approval for the split/combination of the detention area.
- h. The sign walls and subdivision identification walls are situated within the setback requirements of the zoning ordinance and are located within utility easements.
- i. The lot numbers on the landscape plan to not coincide with the lot numbers on the plat.
- j. The landscape plan indicates certain plant materials installed outside the landscape areas.
- k. The Township consulting engineer is reviewing a revised master grading plan for the plat.

**RECOMMENDATIONS:**

It is recommended that the Final Preliminary Plat for Wolverine Sub. Phase III be denied for the following reasons;

1. A Special Assessment District has not been established for the detention basin maintenance.
2. The subdivision restrictive covenants have not been amended to reference the SAD.
3. The plat does not identify all easements outside of the typical building setbacks.
4. The plat does not identify a temporary access drive to the detention basin.
5. The original retention pond planned with frontage on 25 Mile Road has been extended to the north and west to provide for retention facilities for the entire development. Since the total area of the plat has been expanded, the tentative preliminary plat had to be revised. The plan as presented does not include the additional property.
6. The landscape plan submitted does not meet the requirements of the Land Division Ordinance. The signs must be shown to set back 10' from 25 Mile and 15 ft. from the local street. Revised landscape plans must be submitted with the proper dimensions for the signs.
7. The petitioner has not applied for or received approval for the split/combination of the detention area.
8. The sign walls and subdivision identification walls are situated within the setback requirements of the zoning ordinance and are located within utility easements.
9. The lot numbers on the landscape plan to not coincide with the lot numbers on the plat.
10. The landscape plan indicates certain plant materials installed outside the landscape areas.
11. The revised Master Grading Plan has not been approved by the Township consulting engineer.
12. Location of the permanent access drive for the pond is not shown.

Petitioner Present: John Cavaliere, Salvatore DiMercurio, Craig Duckwitz  
& Thomas Kalas

**MOTION by DUNN seconded by NEVERS to follow the Planning Consultants and Planning Commissions recommendations and deny the Final Preliminary Plat; Wolverine Country Club Subdivision Phase III; Permanent Parcel No. 08-05-400-028.**

**MOTION carried.**

13. **Tentative Preliminary Plat; Milano Industrial Subdivision # 3;** Located 1953 feet north of 23 Mile Road and approximately ½ mile east of Hayes Road. Leone Construction Company & Centro Milano Industrial Inc, Petitioner. Permanent Parcel No. 08-18-400-014

Jerome R. Schmeiser, Community Planning Consultant, reviewed the findings and recommendations for approval.

Petitioner: Chairman did not request petitioner identification.

Public Portion: None

**MOTION by DUNN seconded by NEVERS to approve the Tentative Preliminary Plat; Milano Industrial Subdivision # 3; Permanent Parcel No. 08-18-400-014.**

**MOTION carried.**

14. **Tentative Preliminary Plat; West Park Estates;** Located on the north side of 5 Mile Road and approximately 974.80 feet east of Luchtman Road. Montana Homes, Inc., Petitioner. Permanent Parcel No. 08-04-300-005

Jerome R. Schmeiser, Community Planning Consultant, reviewed the findings and recommendations for approval.

Petitioner Present: Angelo Sbrocca

Public Portion: None

**MOTION by BUCCI seconded by KRZEMINSKI to approve the Tentative Preliminary Plat; West Park Estates. Permanent Parcel No. 08-04-300-005**

**MOTION carried.**

Supervisor BRENNAN introduced Boy Scout Jared Combs, Township resident, present in the audience who is working towards his communications merit badge for troop 472.

**NEW BUSINESS:**

15. Approve Budget Amendments for FY 2004-2005.

Supervisor BRENNAN reviewed the request.

Public Portion: None

**MOTION by KRZEMINSKI seconded by DUNN to approve the budget amendments for the fiscal year 2004-2005 as follows: The Park & Recreation Fund expenditures increased from Three Million One Hundred Ninety Seven Thousand Five Hundred Forty Seven dollars and 00/100 (\$3,197,547.00) to Three Million Two Hundred Ninety Seven Thousand Five Hundred Forty Seven dollars and 00/100 (\$3,297,547.00). The Fire Retirement Fund expenditures increased from Thirty Four Thousand Sixty Five dollars and 00/100 (\$34,065.00) to Thirty Seven Thousand Sixty Five dollars and 00/100 (\$37,065.00). The Noxious Weed Funds expenditures increased from Five Thousand Eight Hundred dollars and 00/100 (\$5,800.00) to Twelve Thousand Twenty Five dollars and 00/100 (\$12,025.00).**

**MOTION carried.**

16. Approve Budget for FY 2005-2006.

Supervisor BRENNAN reviewed the request.

Public Portion: None

**MOTION by DUNN seconded by NEVERS to adopt the budget for the fiscal year for 2005-2006 as follows:**

**GENERAL APPROPRIATIONS ACT**

**An Act to provide for the adoption of a budget proposed by the Township Supervisor containing estimates of proposed revenues, expenditures, and to provide for the levy of taxes for the fiscal year beginning July 1, 2005 and ending June 30, 2006 in accordance with Michigan Public Act 621 of 1978.**

**Be it resolved by the Board of Trustees, Township of Macomb, County of Macomb, State of Michigan.**

- Section 1.** That for the expenses of Township Government and its activities for the fiscal year, beginning July 1, 2005 and ending June 30, 2006 the following Sections are hereby appropriated:
- Section 2.** That for the said fiscal year there is hereby appropriated out of the General Fund \$9,287,151.00
- Section 3.** That for the said fiscal year there is hereby appropriated out of the Municipal Street Fund \$1,001,000.00
- Section 4.** That for the said fiscal year there is hereby appropriated out of the Fire Fund-
- Operations Fund: \$3,667,639.00  
Improvement Fund: \$1,099,000.00
- Section 5.** That for the said fiscal year there is hereby appropriated out of the Parks / Recreation Fund \$3,925,212.00
- Section 6.** That for the said fiscal year there is hereby appropriated out of the Law Enforcement Fund \$2,638,850.00
- Section 7.** That for the said fiscal year there is hereby appropriated out of the Building Authority Construction Fund \$2,949,973.00
- Section 8.** That for the said fiscal year there is hereby appropriated out of the Fire Retirement Systems Fund \$34,065.00
- Section 9.** That for the said fiscal year there is hereby appropriated out of the Noxious Weed Fund \$0.00
- Section 10.** Those amounts budgeted for specific items or purposes and not required to be utilized for such items and purposes may be rebudgeted by the Township Supervisor for other items and purposes within the same funds for which such allocation was originally made.
- Section 11.** The information summary with respect to the Water and Sewer Funds, while not subject to the budgetary process, is incorporated herein for purposes of information and reference.

**FOR THIS MOTION:** DUNN, NEVERS, BUCCI, KRZEMINSKI, and BRENNAN.

**ABSENT: KOEHS, MALBURG**

**OPPOSED: NONE**

**Adopted this 22<sup>nd</sup>, day of June 2005**

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**John D. Brennan, Macomb Township Supervisor**

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**Attested, Michael D. Koehs, Macomb Township Clerk**

**MOTION carried.**

17. Liquor License Transfer; Burning Tree Investors; Located at 22871 Twenty One Mile Road, Macomb, MI 48042 (Tabled from June 8, 2005)

Supervisor BRENNAN reviewed the request.

Public Portion: None

**MOTION by KRZEMINSKI seconded by NEVERS to approve the resolution to transfer the liquor license from Burning Tree Investors LLC to transfer ownership of the 2004 Class C licenses business with dance permit located at 22871 21 Mile Road in Macomb, Michigan 48042, Macomb Township, Macomb County, from J.F. R. Corporation.**

**FOR THIS MOTION: KRZEMINSKI, NEVERS, DUNN, BUCCI AND BRENNAN**

**OPPOSED: NONE**

**ABSENT: KOEHS, MALBURG**

**RESOLUTION DELCARED ADOPTED.**

18. Request to Authorize Township Attorney to Defend Macomb Development Associates LLC and Kogelman Enterprises, LLC vs Macomb Township

Supervisor BRENNAN reviewed the administrative matter and recommended to move forward with the request.

**MOTION by BUCCI seconded by KRZEMINSKI to approve the request to authorize the Township Attorney to defend Macomb Development Associates LLC and Kogelman Enterprises, LLC vs Macomb Township.**

**MOTION carried.**

19. Clinton-Macomb Library Board Appointment.

Supervisor BRENNAN reviewed the request.

**MOTION by KRZEMINSKI seconded by DUNN to approve the request to appoint Grace Shore, Township resident, a member to the Clinton-Macomb Library Board of Trustees. Appointment term will expire April 30, 2009.**

**MOTION carried.**

20. Request for One (1) Year Extension of Contract with Macomb County Sheriff Department.

Supervisor BRENNAN reviewed the request.

Public Portion: None

**MOTION by KRZEMINSKI seconded by BUCCI to approve the one (1) year contract extension for the Macomb County Sheriff Department as discussed.**

**MOTION carried.**

21. Request to Revoke the Landscape Bond for Castle Mar Subdivision; Located on the north of 23 Mile Road and west of Card Road; Permanent Parcel 08-15-476-011

Supervisor BRENNAN reviewed the request and recommended that the matter be tabled for two weeks for further review and inspection of the site.

Petitioner: Not present

**MOTION by KRZEMINSKI seconded by NEVERS to table the matter to the July 13, 2005 Township Board of Trustees Meeting for review of the request to revoke the Landscape Bond for Castle Mar Subdivision Permanent Parcel No. 08-15-476-011.**

**MOTION carried.**



22. Request for Temporary Certificate of Occupancy; Romeo Plank Crossing; Located on the southeast corner of 23 Mile Road and Romeo Plank; Morelli Investments, LLC, Petitioner. Permanent Parcel No. 08-20-200-046

Supervisor BRENNAN indicated that the Planning Commission at their June 21, 2005 meeting granted Special Land Use approval with numerous conditions attached to it. Further, that the conditions have not been met and the recommendation would be not to grant the request at this time.

Petitioner Present: David Morelli

Public Portion: None

**MOTION by KRZEMINSKI seconded by DUNN to deny the request for a temporary certificate of occupancy for Romeo Plank Crossing. Permanent Parcel No. 08-20-200-046.**

**MOTION carried.**

**BROADCAST MEDIA:**

23. Request to Purchase Video Equipment from Duncan Video, Inc.

James Gillis, Broadcast Media Director, reviewed the request.

Public Portion: None

**MOTION by KRZEMINSKI seconded by BUCCI to approve the request to purchase video equipment from Duncan Video, Inc. for the total cost of Twenty Three Thousand Nine Hundred Thirteen dollars and 00/100 (\$23,913.00)**

**MOTION carried.**

24. Request to Purchase Video Equipment from ProVideo Systems, Inc.

James Gillis, Broadcast Media Director, reviewed the request.

Public Portion: None

**MOTION by BUCCI seconded by DUNN to approve the request to purchase video equipment from ProVideo Systems, Inc. for the total cost of One Hundred Eighteen Thousand Six Hundred Sixty Five dollars and 00/100 (\$118,665.00).**

**MOTION carried.**

25. Request to Purchase Video Equipment from Roscor.

James Gillis, Broadcast Media Director, reviewed the request.

Public Portion: None

**MOTION by DUNN seconded by NEVERS to approve the request to purchase video equipment from Roscor for the total cost of Fifty Four Thousand Sixty dollars and 00/100 (\$54,060.00).**

**MOTION carried.**

26. Request to Purchase Laptop Computer System.

James Koss, Informational Technology Director, reviewed the request.

Public Portion: None

**MOTION by BUCCI seconded by KRZEMINSKI to approve the request to purchase a laptop computer system for the Broadcast Media Director from Computer Builders Warehouse located in Shelby Township Michigan for the total cost of Nine Hundred Ninety Nine Dollars and 99/100 (\$999.99).**

**MOTION carried.**

**INFORMATION TECHNOLOGY DEPARTMENT:**

27. Request to Purchase Communication Equipment for the Fire Department.

Estimated cost per site:

- 47711 North Avenue (new station) \$4,496.87
- 16820 25 Mile Road (new station) \$4,496.87
- 17800 21 Mile Road (old station) \$4,915.71
- 19925 23 Mile Road (old station) \$5,217.73

Jim Koss, Informational Technology Director, reviewed the request.

Public Portion: None

**MOTION by DUNN seconded by KRZEMINSKI to approve the request to purchase communication equipment for the Macomb Township Fire Departments from SBC Business Communication Services for the total cost of Nineteen Thousand One Hundred Twenty Seven dollars and 18/100 (\$19,127.18).**

**MOTION carried.**

**HUMAN RESOURCE DEPARTMENT:**

28. Request to Establish a New Classification - Fire RMS Supervisor.

Sharalyn Arft, Human Resource Specialist, reviewed the request.

**MOTION by KRZEMINSKI seconded by BUCCI to approve the request to establish a new classification titled Fire RMS Supervisor under the AFSCME Local 1917 Collective Bargaining Agreement.**

**MOTION carried.**

29. Request to Hire a Fire RMS Supervisor.

Sharalyn Arft, Human Resource Specialist, reviewed the request.

**MOTION by DUNN seconded by NEVERS to extend an offer to Ms. Carrie Meyer and hire her for the Fire RMS Supervisor full-time position for the Macomb Township Fire Department. The anticipated date of hire will be on or before July 1, 2005 pending completion of a drug screen and pre-employment physical.**

**MOTION carried.**

**WATER/SEWER DEPARTMENT:**

30. Easement Agreement for Water Main, Consumers Energy

This matter was tabled. The Township Attorney has to work out the language with Consumers Energy.

31. Vacation of Water Main Easement, Baker Machining, Mold Technologies and Prime Investment Group.

David Koss, Water & Sewer Department Superintendent, reviewed the request.

Public Portion: None

**MOTION by BUCCI seconded by KRZEMINSKI to approve the easement agreement for Prime Investment Group and direct the Township Supervisor and Clerk to sign the document. Permanent Parcel No. 08-20-104-005.**

**MOTION carried.**

32. Request for Temporary Cement Batch Plan, Tony Angelo Cement Construction Company (Fairway Commons Duplex Condominiums)

David Koss, Water & Sewer Department Superintendent, reviewed the request.

Public Portion: None

**MOTION by BUCCI seconded by DUNN to approve the temporary batch plant request for Tony Angelo Cement Construction Company for Fairway Commons Condominiums for a time period of sixty (60) days beginning June 23, 2005 through August 23, 2005. Section 34.**

**MOTION carried.**

Addition:

- 32a. Request for Temporary Cement Batch Plan, Tony Angelo Cement Construction Company (Westminister Subdivision No. 1)

David Koss, Water & Sewer Department Superintendent, reviewed the request.

Public Portion: None

**MOTION by BUCCI seconded by DUNN to approve the temporary batch plant request for Tony Angelo Cement Construction Company for Westminister Subdivision No. 1 for a time period of sixty (60) days beginning July 8, 2005 through September 2, 2005. Section 19.**

**MOTION carried.**

33. Bid Award, Marseilles Sanitary Sewer Project MA04-015 (S.A.D. MA086-S) and Water Main Replacement Project, MA03-010.

David Koss, Water & Sewer Department Superintendent, reviewed the request.

Public Portion: None

**MOTION by KRZEMINSKI seconded by DUNN to award the Bid to Salvatore Excavating Company, Inc. for the Marseilles Sanitary Sewer Project MA04-015 (S.A.D. MA086-S) and Water Main Replacement Project, MA03-010 for the total cost of Three Hundred Ninety Two Thousand Six Hundred Eighty Six dollars and 70/100 (\$392,686.70).**

**MOTION carried.**

34. Supervisor Comments:

34a. Review of Permit Fees.

Supervisor BRENNAN reviewed the request.

Public Portion: None

**MOTION by DUNN seconded by BUCCI to follow the Township Supervisor's recommendation and adopt the new permit fees for the Building Department Effective Date July 1, 2005.**

**MOTION carried.**

Addition:

34b. Renewal of the Macomb Urban County Community  
Development Block Grant Program for Program years 2006-2008

Supervisor BRENNAN reviewed the request.

**MOTION by KRZEMINSKI seconded by DUNN to renew the Macomb Urban County Community Development Block Grant Program for Program years 2006-2008.**

**MOTION carried.**

Addition:

34c. Liquor Licenses

Supervisor BRENNAN reviewed the request.

**MOTION by BUCCI seconded by KRZEMINSKI to release five (5) new Class C liquor licenses on the premises of The Township of Macomb.**

**MOTION carried.**

**MOTION by KRZEMINSKI seconded by NEVERS to authorize the Township Attorney to review the Township Ordinances and proceed with necessary amendments so that the Township has the ability to revoke liquor licenses.**

**MOTION carried.**

Addition

34d. Occupational Medical Services

Supervisor BRENNAN reviewed the request. Further, this service-provider change is being made because St. John Occupational Health Partners has discontinued occupational health services at its Romeo Plank location.

**MOTION by DUNN seconded by NEVERS to authorize the Township to use St. Joseph's Mercy Network as the new occupational health services provider. Effective Date July 1, 2005.**

**MOTION carried.**

35. Clerk Comments: None

36. Treasurer Comments: None

37. Trustees Comments: None

**EXECUTIVE SESSION:**

**MOTION by BUCCI seconded by KRZEMINSKI to adjourn into executive session at 8:27 P.M.**

**MOTION carried.** The Board reconvened at 8:31 P.M.

38a. Easement Acquisition:

- Parcel #08-21-376-006 – Marseilles Road Sanitary Sewer (S.A.D. MA086-S)

**MOTION by DUNN seconded by NEVERS to approve the purchase of the property described at Marseilles Road Sanitary Sewer (S.A.D. MA086-S).  
Permanent Parcel No. 08-21-376-006**

**MOTION carried.**

- 38b. Easement Acquisition:  
- Parcel #08-20-100-012 – 23 Mile Road Sanitary Sewer Replacement

**MOTION by KRZEMINSKI seconded by BUCCI to approve the purchase of the property described as 23 Mile Road Sanitary Sewer Replacement. Permanent Parcel No. 08-20-100-012.**

**MOTION carried.**

- 38c. Easement Acquisitions:  
- Parcel #08-20-103-001 – 23 Mile Road Sanitary Sewer Replacement

**MOTION by KRZEMINSKI seconded by NEVERS to approve the purchase of the property described as 23 Mile Road Sanitary Sewer Replacement. Permanent Parcel No. 08-20-103-001.**

**MOTION carried.**

Addition:

39. Excel Property Company, LLC

Removed from the agenda

**ADJOURNMENT:**

**MOTION by BUCCI seconded by NEVERS to adjourn this meeting at 8:33 P.M.**

**MOTION carried.**

Respectfully submitted,

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John D. Brennan, Supervisor

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Michael D. Koehs, CMC  
Macomb Township Clerk

MDK/gmb